present application, the "second protocol" is the GSM protocol, and more generally, the "second

protocol" corresponds to a protocol for transmission in circuit mode (which, as opposed to

packet mode, does not allow very high data rates, as known to the skilled person). Other than

this change from synchronous mode to asynchronous mode, all other properties of this (second)

protocol are kept the same. On the other hand, Kaaresoja's ATM core network 206 linking the

IWF (transcoder) 208 and the BTS 200 is utilized for transmitting data via the ATM protocol

(packet mode) at a very high data rate transmission, as is well known to those skilled in the art.

Accordingly, the claimed invention should be allowable over Kaaresoja since ATM cannot be

used for transmission over a transmission channel "having a limited data rate associated to

transmission in circuit mode".

In response, the Examiner states that he "firmly believes the cited reference to reasonably

and properly meets the claimed limitations." In support of his belief, the Examiner states that

> Kaaresoja teaches system enables transmission of speech frames, generated from
> a PCM-encoded speech signal, through a packet network (64 kbit/s limited data
> rate between base station and base station controller), e.g. in Asynchronous
> Transfer Mode (ATM) or over the Internet. A speech signal is converted into a
> parameter group, and then inserted into traffic frames for transmission as a packet
> (header and payload). The payload is assembled from several traffic frames until
> essentially full. On receipt at the transmission destination, the speech frames are
> decoded. The packing of packets may be commenced approximately one second
> after establishing the connection and after any incorporated pauses. Thus the
> ending of any pause is speedily transmitted to the receiving listener (abstract, col.
> 2, line 10-col. 3, line 20, col. 4, lines 1-18).[1]

However, there is no disclosure of a 64 kbit/s limited data rate between a base station and

a base station controller in Kaaresoja. Instead, the cited reference simply discloses that that bit

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[1] March 14, 2005 Office Action at pages 7 and 8.

rate of PCM is 64 kbit/s and GSM speech is 16 kbit/s. Kaaresoja only shows a base transceiver

station 200 (or base station) and does not show the connection between a base station controller

and the base trasceiver station.

Moreover, the Examiner has not addressed the fact that Kaaresoja does not disclose a

transmission channel "having a limited data rate associated to transmission in circuit mode", as

required by the independent claims. The sections of Kaaresoja (col. 9, lines 10-19; and col. 10,

line 60 - col. 11, line 9) cited by the Examiner simply disclose that one Synchronous Residual

Timestamp (SRTS) will be transmitted via the ATM core network every other ATM cell for

GSM speech (i.e., one half of an SRTS is transmitted per ATM cell) since the bit rate of coded

GSM speech is 16 kbit/sec while the bit rate of PCM is 64 kbit/sec. Further, data is transmitted

over the ATM core network (206) of Kaaresoja in packet mode rather than circuit mode.

Accordingly, Applicant respectfully submits that claims 1-16 should be allowable

because the cited references, alone or combined, does not teach or suggest all of the features of

the claims, and one of ordinary skill in the art would not have been motivated to modify the

teachings of the cited references to produce the claimed invention.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

REQUEST FOR RECONSIDERATION
U.S. Application No. 09/715,171

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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Date: June 14, 2005

Attorney Docket No.: Q61862